

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: CHARISSE HARRIS

CHAPTER 13

DEBTOR

CASE NO. 18-14970-JDW

OBJECTION TO NOTICE OF MORTGAGE PAYMENT CHANGE [DKT. 48]

COMES NOW, the above-named Debtor, by and through her attorney of record in this case, and objects to the Notice of Mortgage Payment Change (Dkt. # 48) filed by USDA-Rural Housing Service (“Creditor”), and in support hereof respectfully shows unto the Court the following

1. Debtor’s confirmed plan (Dkt. #26) provides for ongoing mortgage payments and arrears to be paid to Creditor through the Chapter 13 plan.
2. The Creditor has filed a proof of claim (Clm. 19-1) in this case.
3. Creditor filed a Notice of Mortgage Payment Change on August 13, 2019, which indicates the payment was to change on August 1, 2019. This notice was not filed 21-days prior to the payment change taking place, and should be disallowed.
4. Other grounds to be shown at the hearing.

WHEREFORE, the Debtor respectfully requests that this Court sustain the objection and enter an order disallowing the notice of payment change filed by the Creditor, and such other and further relief as the Court may deem proper.

This the 21st day of August, 2019.

/s/Robert Lomenick

**KAREN B. SCHNELLER, MSB 6558
ROBERT H. LOMENICK, JR., MSB 104186
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT MISSISSIPPI**

IN RE: CHARISSE HARRIS

CHAPTER 13

DEBTOR

CASE NO. 18-14970-JDW

NOTICE OF OBJECTION TO CLAIM

YOU ARE HEREBY NOTIFIED that an objection to your claim has been filed in the above referenced bankruptcy case. Your claim may be reduced, modified, or eliminated. If you do not want the Court to eliminate or change your claim, a written response to the attached objection to claim must be filed with:

Clerk, U.S. Bankruptcy Court
Northern District of Mississippi
703 Hwy 145 North
Aberdeen, MS 39730

and a copy must be served on the undersigned Debtor(s)' attorney and the Chapter 13 trustee on or before thirty (30) days from the date of this notice. In the event a written response is filed, the court will notify you of the date, time and place of the hearing thereon.

DATED: August 21, 2019

CHAPTER 13 STANDING TRUSTEE:

Ms. Locke D. Barkley
Chapter 13 Trustee
6360 I-55 North, Suite 140
Jackson, MS 39211

/s/Robert H. Lomenick

KAREN B. SCHNELLER, MSB 6558
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CERTIFICATE OF SERVICE

I, Robert H. Lomenick, attorney for the Debtor, hereby certify that a copy of the foregoing Notice of Objection to Notice of Mortgage Payment Change has this day been served upon the Chapter 13 Trustee, the USDA-Rural Housing, either by electronic means or by United States Mail.

**USDA Rural Housing Service
P.O. Box 66879
St. Louis, MO 63166**

**Office of the United States Attorney
USDA
900 Jefferson Ave
Oxford, MS 38655**

**Office of United States Attorney General
U.S Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530**

**Assistant Attorney General for Administration
U.S. Department of Justice
Justice Management Division
950 Pennsylvania Avenue, NW, Room 1111
Washington, DC 20530**

**Civil Process Clerk
United States Attorney's Office
555 4th Street, NW, Washington, DC 20530**

Ms. Locke D. Barkley, via ECF

Office of U.S. Trustee, via ECF

This the 21st day of August, 2019

/s/Robert H. Lomenick _____
KAREN B. SCHNELLER
ROBERT H. LOMENICK